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Date: (Filing No. S-)

ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
SENATE
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 751, L.D. 1850, “An Act Relating to Energy Storage and the State's Energy Goals”

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 35-A MRSA §3204, sub-§6, as enacted by PL 1997, c. 316, §3, is amended to read:

6. Generation assets permitted. On or after March 1, 2000, notwithstanding any other provision in this chapter, the commission may allow an investor-owned transmission and distribution utility to own, have a financial interest in or otherwise control generation and generation-related assets to the extent that the commission finds that ownership, interest or control is necessary for the utility to perform its obligations as a transmission and distribution utility in an efficient manner.

A. The commission may allow an investor-owned transmission and distribution utility to own, have a financial interest in or otherwise control an energy storage system, as defined in section 3481, subsection 6, only if the energy storage system is located behind an electric meter serving an operations center of that utility and only to the extent the commission finds that the ownership, interest or control is necessary to maintain continuous operation of the utility’s operations center. The commission may not permit an investor-owned transmission and distribution utility to own, have a financial interest in or otherwise control an energy storage system for other purposes, including, but not limited to, as a distribution asset.

The commission may adopt rules to implement this paragraph. Rules adopted under this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.'

Amend the bill in section 4 in subsection 2 (page 2, line 39 in L.D.) by striking out the following: "and"

Amend the bill in section 4 in subsection 3 in the last line (page 2, line 42 in L.D.) by striking out the following: "." and inserting the following: '; and'

COMMITTEE AMENDMENT

1 Amend the bill in section 4 by inserting after subsection 3 the following:

2 '4. Consideration of whether and under what conditions the use of long-duration energy
3 storage would be cost-effective for ratepayers in the State.'

4 Amend the bill by striking out all of section 5 and inserting the following:

5 '**Sec. 5. Funding.** Upon written request of the Governor's Energy Office, for the
6 purposes of allowing the office to fulfill its responsibilities under sections 3 and 4, the
7 Public Utilities Commission shall provide:

8 1. Reasonable technical, legal and other assistance, including the provision of
9 requested information; and

10 2. Notwithstanding the Maine Revised Statutes, Title 35-A, section 117, funding for
11 staff and consultants in an amount not to exceed \$300,000 from the Public Utilities
12 Commission Reimbursement Fund established under Title 35-A, section 117.'

13 Amend the bill by striking out all of section 6.

14 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
15 number to read consecutively.

16 SUMMARY

17 This amendment removes the provision of the bill requiring the Public Utilities
18 Commission to establish the conditions under which an investor-owned transmission and
19 distribution utility may own, have a financial interest in or otherwise control an energy
20 storage system and instead provides that an investor-owned transmission and distribution
21 utility may own, have a financial interest in or otherwise control an energy storage system
22 only with approval of the commission if the energy storage system is located behind an
23 electric meter serving an operations center of that utility and necessary to maintain
24 continuous operation of the utility's operations center.

25 It requires the Governor's Energy Office to consider, in studying long-duration energy
26 storage, whether and under what conditions the use of long-duration energy storage would
27 be cost-effective for ratepayers in the State. It corrects the references regarding the
28 activities for which the Governor's Energy Office may seek assistance and funding from
29 the commission and changes the funding source. The amendment removes the language
30 directing the commission to conduct a rule-making proceeding to determine the conditions
31 under which an investor-owned transmission and distribution utility may own, have a
32 financial interest in or otherwise control an energy storage system.

33 FISCAL NOTE REQUIRED

34 (See attached)